RAJYA SABHA

Thursday, the 5th March, 1992/ *15th Phalguna,* 1913 *(Saka)*

The House met at eleven of the clock.

Mr. Chairman In the chair.

ORAL ANSWERS TO QUESTIONS

Closure of National Council for Safety | in Mines, Dhanbad

*121. SHRI SUNIL BASU RAY: Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that Government have closed down the National Council for Safety in Mines, Dhanbad;

(b) if so, since when and the causes therefor;

(c) whether employees have represented to Government against the decision; and

(d) if so, whether Government are reviewing the decision ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI PABAN SING GHATO-WAR) : (a) to (d) A statement is laid on the Table of the House.

Statement

It was decided to wind up the National Council for Safety in Mines (NCSM),.Dhanbad with effect from 15th May, 1991. Accordingly, notices were issued by the Council to the employees on 3-4-91.

This decision was taken keeping in view *inter-alia* the performance of the Council in recent years, the build-up of a programme of the mines safety in the coal mines ater nationalisation, inability of Council to generate enough resources to sustain its activities, etc.

Certain employees of the Council field a writ petition in the Calcutta High Court against the above decision and the Court ordered *status quo* as on 6-5-1991. Thereafter two more employees filed a writ petition in the Supreme Court which was transferred to the Central Administrative Tribunal, Principal Bench, New Delhi. The matter is, thereafter, *sub-judice.*

Representations have been received from some of the employees of the Council and also from the Employees* Association to review the decision teken. Presently, there is no proposal to review the decision taken.

SHRI SUNIL BASU RAY : Sir, the reply that has been tabled by the Minister is more or less on the lines known to everybody. But the crucial question is why this organisation, which was set up as a sequel to the National Conference on Safety in Mines held in 1959, has to be disbanded. If the Minister does not know be can go through the records and he can consult his Department and its files and then he will find that there was a recommendation from Coal India limited in 1986 to keep this organization running and Coal India was willing to finance this.

I would like to know—it is for the Minister to say "Yes" or "No"— whether there was any contradiction between the Ministry of Coal and the Ministry of Labour in the matter of running this organization since the Minister, Mr. Sangma, has written to the Dhanbad MP, Mrs. Verma, that this organization is under the control of the Labour Department and so, it should be allowed to be run by them. So, it appears that there was something between these Departments which ultimately made this organization land in this quandary.

I also would like the Minister to explain para 2 of the reply wherein he says that this decision was take "keeping in view the performance of

the Council in recent years, the built-up of a programme of mines safety in the coal mines after nationalisation, inability of the Council to generate enough resources to sustain its activities, etc".

Now, if this organization has done some work, then it means it has proved its merit and *it* has been shown and there are records to show this. But the most intriguing question is what mines safety arrangements have been made in the coal industry itself. They departmentalised the DGMS partially while the DGMS is running short of cadres and mines safety is going from bad to worse. This is no improvement at all. The records of the Standing Conference on Safety in Mines and the Apex Safety Board of Coal India suggest that there are vast areas to be covered as yet. So, I think, the action taken by the Minister----------

MR. CHAIRMAN : Please put your question.

SHRI SUNIL BASU RAY : I am coming to my question. So far as this order is concerned, I would like to know whether the Ministry is ready to reconsider and review it and take back certain employees—only 47 employees—on, whom not more than Rs. 20 lakhs will be spent. I would like to know whether the Ministry is re?dy to take them b?ck either in Coal India or in the DGMS in the interest of safety in mines. This is ray first question.

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI P.A. SANGMA) : Sir, I have already stated that the whole matter is before the honourable High Court of West Bengal and, therefore, the matter is *sub-judice* now. Therefore, the question of revival or taking them back at this stage does not arise. We will have to await the final results of the adjudication first. After that we will see what can be done.

श्री सभापति : इतना लंबा कर दिया भाई ।

SHRI SUNIL BASU RAY : I want to know specifically whether the 47 employees will be taken back or not, who had been given assurances that their cases will be considered. I think there should be 'yes' or 'no' reply from the Minister.

SHRI P.A. SANGMA : Sir, the matter is before the court and it is *sub judice.* What I have said is that the matter is *sub judice.* Now we will have to await the final judgement of the court before we proceed.

SHRI S.K.T. RAMACHAN-_DRAN : Sir, the mine workers are involved in a risky job. They have always to work under the death trap. So considering these things, what steps are the Government taking to modernize these safety devices?'

SHRI P.A. SANGMA : Sir, we have the D.G.M.S. We also have our organization of safety under Coal India. These are under the administrative control of the Ministry of Labour who are taking all necessary steps for the safety of the workers.

श्री आनंद प्रकाश गौतम : माननीय सभापति जी, कोयला खदानों में मजदूरों की जिंदगी खतरे से बिल्कुल भरी होती है और उनकी सुरक्षा का दायित्व सरकार पर होता है । राष्ट्रीय खान सुरक्षा परिषद, धनबाद को सरकार ने 15 मई को समाप्त करने का निर्णय लिया और 3-4-91 को उनके सभी कर्मचारियों को नोटिस दे दी गई । जिन कारणों से उसे समाप्त करने का निणय लिया गया उनमें एक निर्णय यह भी है कि "परिषद द्वारा अपने कार्य-कलापों को चालू रखने के लिए पर्याप्त संसाधनों का सृजन करने में परिषद की असमर्थता ।"

श्री सभापति : यह तो लिखा है उत्तर में।

श्री आनंद प्रकाश गौतम : मैं माननीय मंत्री जी से यह जानना चाहूंगा कि इस प्रकार की जो सुरक्षा परिषद है धनबाद की, उसे समाप्त करने का निर्णय लिया है। क्या दूसरे क्षेत्रों में भी इस प्रकार की सुरक्षा परिषद को समाप्त करने का निर्णय लिया गया है और क्या यह भी इसी तरह से असमर्थता से ग्रस्त हैं कि वह अपने कार्यकलापों को चलाने का निर्णय नहीं ले लेती या वह चला रहे हैं?

SHRI P.A. SANGMA . Sir, the the question does not relate to other organisations. The question relates specifically to the National Council for Safety in Mines, which is part of the Labour Ministry, and it will continue.

श्री सभापति : उन्होंने कहा कि दूसरी जगह चलेगा। इसको नहीं देखेंगे, इस मामले को।

श्री चतुरानन मिश्र : सभापति महोदय, सरकार ने इस प्रश्न को लिया है कि नौकरी के लिए जरूरी है कि नहीं। ये मेरा प्रश्न नहीं है। मैं पहले जानना चाहूंगा कि खान की सुरक्षा के दृष्टिकोण से सरकार को इस पर विचार करना चाहिए और हाईकोर्ट में खान की सुरक्षा के मामले पर कोई रिट पिटीशन फाईल नहीं है। इसीलिए यह मैटर सब-जुडिस नहीं है। मैं दो-तीन बिंदुओं पर इसलिए सफाई चाहूंगा।

पहली बात तो यह है कि माईंस की सेफ्टी को देखते हुए आप बताएं कि कैसे है औचित्य इसको बंद कर देने का? नंबर दो, क्या आपने सेंट्रल ट्रेड यूनियंस को कंसल्ट किया है कि इस तरह का बड़ा काम करने जा रहे हैं। जो मरेंगे, उनके जो संगठन हैं, उन से पहले आपने कोई राय ली है या नहीं ली है? और तीसरी बात कि प्रधानमंत्री ने कई बार कहा है और अभी तो वित्त मंत्री ने भी कहा है कि मजदूरों की छंटनी नहीं होगी, एडजस्टमेंट करेंगे दूसरी जगहों में। तो हम जानना चाहते हैं कि आईदर डी० जी० एम० एस० के अंडर में और कोल इंडिया के अंडर में आपने इनको एडजस्ट करने के लिए कहां-कहां कोशिश की और उनका क्या उत्तर है? इन तीनों बिंदुओं पर कृपया स्पष्टीकरण दें।

SHRI P.A. SANGMA : Sir, the decision to wind up this organization was taken by the previous Government—I think on the 15th May. And so it has nothing to do wtth our new Prime Mintster's announcement. In between, the matter has gone to the court. So the decsion to wind up was taken before this Government came into being.

SHRI CHATURANAN MISHRA That was not my point.

Your Government policy is that you will not retrench them but you will have them adjusted. So I want to know whether you have asked the D.G.M.S, or Goal India or any other organization which looks after safety whether they have been adjusted or not. What are their replies ? That is the question.

MR. CHAIRMAN : His answer is that the matter is *sub judice.* His answer is very valid. If the court decides that a particular organization should remain, will they like to go elsewhere?

SHRI CHATURANAN MISHRA : No, no, Sir. My Question is on the safety point of view.

MR. CHAIRMAN : The answer is complete.

SHRI CHATURANAN MISHRA : Safety point is not in the court, Sir. I made it clear.

MR. CHAIRMAN :What is your question?

SHRI CHATURANAN MISHRA : That safety point is not a matter of s*ub judice.*

MR. CHAIRMAN :1s your question about safety?

SHRI CHATURANAN MISHRA : Yes, Sir.

MR. CHAIRMAN : What measures have they taken for providing safety? This is all you want to know.

SHRI CHATURANAN MISHRA : Sir, there are two aspects. I have asked whether they have consulted the Central Trade Unions or not before doing this. From that point of view, I am saying this. Why do you take only this part? I have raised' three points. I hope the Minister will make the position dear.

SHRI P.A. SANGMA : Actually, Sir, the responsibility of ensuring safety of the workers does not lie with this organisation., It is the Coal India organisation which is responsible for ensuring the safety of the workers. And whatever measures are being taken by the Coal India Limited for the safety of the workers, they are being monitored and inspected by the DGMS. So, we have the organisations to look after that. The main function of this organisation was to develop publicity and propaganda through exhibitions and training and seminars and model lectures to inculcate some sort of consciousness among the workers. So, that is the duty of this Council, They are not directly involved with the work of ensuring safety of the workers. For that we have only the DGMS, an organisation in the Labour Ministry. And the Coal India has also its own set-up.

कुमारी सईदा खातून : मैं मंत्री महोदय से यह जानना चाहती हूं कि यह जो इसके खिलाफ़ रिट दायर की गई है, इसमें निर्णय भी नहीं करके बताया गया है, इसके लिए कितना वक्त चाहिए ? दूसरे भी खदानों में जैसे माइल और मैंगनीज हैं इसमें क्या एक्शन लिया जा रहा है ?

डा0 बापू कालदाते : कोर्ट बतायेगा ।

SHRI P.A. SANGMA : Sir, it. is not in my jurisdiction to say anything.

MR.CHAIRMAN :Question No. 122.

लघु औद्योगिक क्षेत्र की विकास दर में गिरावट

*122. श्री राम जेठमलानी :

सरदार जगजीत सिंह अरोड़ा :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान 16 फरवरी, 1992 के फाइनेंशियल एक्सप्रेस में 'शीर्षक लाइन इन स्माल स्केल ग्रोथ रेट" शीर्षक के अन्तर्गत प्रकाशित समाचार की ओर दिलाया गया है ;

(ख) क्या यह सच है कि चालू वित्तीय वर्ष में लघु औद्योगिक क्षेत्र में विकास दर केवल 2–3 प्रतिशत तक ही पायी है ;

(ग) यदि हां, तो 1988–89, 1989-90 और 1990-91 के वर्षों के दौरान विकास दर कितनी-कितनी थी ;

(घ) क्या विकास दर के संबंध में अगले वर्ष के लिए कोई लक्ष्य रखा गया है ; और

†The question was actually asked on the floor of the House by Sardar Jagjit Singh Aurora.